

Senate Engrossed

FILED

**KEN BENNETT
SECRETARY OF STATE**

State of Arizona
Senate
Forty-ninth Legislature
First Regular Session
2009

CHAPTER 25

SENATE BILL 1178

AN ACT

AMENDING SECTIONS 41-4254 AND 41-4258, ARIZONA REVISED STATUTES; REPEALING SECTION 41-4256, ARIZONA REVISED STATUTES; AMENDING TITLE 41, CHAPTER 41, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING A NEW SECTION 41-4256; RELATING TO HOMELAND SECURITY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 41-4254, Arizona Revised Statutes, is amended to
3 read:
4 41-4254. Department duties
5 The department shall:
6 1. Formulate policies, plans and programs to enhance the ability of
7 this state to prevent and respond to acts of terrorism and other critical
8 hazards.
9 2. Develop a statewide homeland security strategy.
10 3. Request appropriations or grants of monies for homeland security
11 purposes.
12 ~~4. Provide to the Arizona department of homeland security coordinating~~
13 ~~council the list of appropriations or grants that are requested from the~~
14 ~~federal government for homeland security purposes.~~
15 4. PROVIDE TO THE SENIOR ADVISORY COMMITTEE MEMBERS A SUMMARY OF THE
16 AMOUNT OF FEDERAL HOMELAND SECURITY MONIES REQUESTED BY THIS STATE FOR EACH
17 GRANT PROGRAM.
18 5. Receive all ~~monies appropriated or~~ AWARDS granted to this state by
19 the federal government for homeland security purposes and ~~provide to the~~
20 ~~Arizona department of homeland security coordinating council the amount of~~
21 ~~these monies and the director's determination as to the allocation of these~~
22 ~~monies to the various grantees~~ PROVIDE TO THE SENIOR ADVISORY COMMITTEE
23 MEMBERS A LIST OF THE ALLOCATIONS OF FEDERAL HOMELAND SECURITY GRANTS TO THIS
24 STATE ALONG WITH THE PROJECT TITLE AND THE AMOUNT OF EACH SUBGRANTEE AWARD.
25 6. Distribute monies to local jurisdictions and other organizations
26 eligible under federal regulations based on criteria in the statewide
27 homeland security strategy and federal grant guidelines.
28 7. Coordinate with other state and federal agencies to publish a guide
29 for grantees that receive homeland security monies. The guide shall ensure
30 that monies distributed by the department:
31 (a) Are coordinated across all levels of government.
32 (b) Avoid duplication of grant awards.
33 (c) Eliminate security gaps in every level of government.
34 8. Conduct preparedness training exercises to put state disaster plans
35 into practice and identify shortcomings in the plans.
36 9. Assist in the development of regional response plans, including
37 collaborative efforts with other states.
38 10. Partner with and involve the private sector in preparedness
39 efforts.
40 Sec. 2. Repeal
41 Section 41-4256, Arizona Revised Statutes, is repealed.

1 Sec. 3. Title 41, chapter 41, article 1, Arizona Revised Statutes, is
2 amended by adding a new section 41-4256, to read:

3 41-4256. Senior advisory committee; membership; duties

4 A. THE SENIOR ADVISORY COMMITTEE IS ESTABLISHED TO ENHANCE INTEGRATION
5 OF DISCIPLINES INVOLVED IN HOMELAND SECURITY. IN ADDITION TO MEMBERSHIP
6 REQUIRED OR PERMITTED BY FEDERAL HOMELAND SECURITY GRANT PROGRAM GUIDANCE,
7 THE COMMITTEE CONSISTS OF THE FOLLOWING MEMBERS:

8 1. TWO MEMBERS OF THE HOUSE OF REPRESENTATIVES WHO ARE APPOINTED BY
9 THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND WHO ARE MEMBERS OF DIFFERENT
10 POLITICAL PARTIES OR THE MEMBERS PROXIES.

11 2. TWO MEMBERS OF THE SENATE WHO ARE APPOINTED BY THE PRESIDENT OF THE
12 SENATE AND WHO ARE MEMBERS OF DIFFERENT POLITICAL PARTIES OR THE MEMBERS
13 PROXIES.

14 B. THE COMMITTEE SHALL OPERATE IN ACCORDANCE WITH FEDERAL HOMELAND
15 SECURITY PROGRAM GRANT GUIDANCE.

16 C. MEMBERS ARE NOT ELIGIBLE TO RECEIVE COMPENSATION BUT ARE ELIGIBLE
17 FOR REIMBURSEMENT OF EXPENSES PURSUANT TO TITLE 38, CHAPTER 4, ARTICLE 2.

18 Sec. 4. Section 41-4258, Arizona Revised Statutes, is amended to read:

19 41-4258. Arizona department of homeland security regional
20 advisory councils; appointment; terms; duties

21 A. The Arizona department of homeland security regional advisory
22 councils are established.

23 B. A total of five councils are established as follows:

24 1. The north region is composed of the jurisdictions contained in the
25 Coconino, Navajo and Apache county boundaries. No more than ~~three~~ FOUR
26 members of the council may be from any one county.

27 2. The east region is composed of the jurisdictions contained in the
28 Graham, Greenlee, Gila and Pinal county boundaries. No more than three
29 members of the council may be from any one county.

30 3. The south region is composed of the jurisdictions contained in the
31 Pima, Santa Cruz, Cochise and Yuma county boundaries. No more than three
32 members of the council may be from any one county.

33 4. The west region is composed of the jurisdictions contained in the
34 Mohave, La Paz and Yavapai county boundaries. No more than ~~three~~ FOUR
35 members of the council may be from any one county.

36 5. The central region is composed of the jurisdictions contained in
37 the Maricopa county boundaries.

38 C. Each regional advisory council consists of ~~twelve~~ FOURTEEN members
39 who serve for a term of ~~two~~ THREE years. ~~and who live~~ MEMBERS SHALL RESIDE
40 or work in the region they represent, EXCEPT FOR THE REPRESENTATIVE FROM THE
41 DEPARTMENT OF PUBLIC SAFETY. FOR THE PURPOSES OF LIMITING THE MEMBERSHIP IN
42 A COUNTY, THE REPRESENTATIVE FROM THE DEPARTMENT OF PUBLIC SAFETY AND THE
43 TRIBAL REPRESENTATIVE DO NOT COUNT TOWARD THE MEMBERSHIP LIMIT FROM A COUNTY.

1 D. The governor shall appoint each member of a regional advisory
2 council. ~~The Arizona department of homeland security coordinating council~~
3 ~~shall recommend persons to be considered by the governor for appointment,~~
4 ~~except that the representatives of the legislature on the coordinating~~
5 ~~council shall recommend the persons to be considered for appointment as the~~
6 ~~two at-large members.~~ The membership of the councils consists of:

7 1. A representative of a fire service from an urban or suburban area
8 in the region.

9 2. A representative of a fire service from a rural area in the region.

10 3. A police chief.

11 4. A county sheriff OR THE SHERIFF'S PROXY.

12 5. A tribal representative.

13 6. An emergency manager.

14 7. A mayor OR THE MAYOR'S PROXY.

15 8. A county supervisor OR THE SUPERVISOR'S PROXY.

16 9. ~~Two~~ FOUR at-large members.

17 10. A representative from the department of public safety.

18 11. A public health representative.

19 E. A MEMBER MUST HAVE A BACKGROUND IN OR EXPERIENCE WITH DISASTER
20 RESPONSE OR LAW ENFORCEMENT ISSUES.

21 F. SUBJECT TO APPROVAL BY THE DIRECTOR, ONLY THOSE MEMBERS LISTED IN
22 SUBSECTION D, PARAGRAPHS 4, 7 AND 8 MAY BE REPRESENTED ON THE COUNCIL BY A
23 PERSON DESIGNATED BY THAT MEMBER TO SERVE AS THAT MEMBER'S PROXY. THE PROXY
24 MUST HAVE A BACKGROUND IN OR EXPERIENCE WITH DISASTER RESPONSE OR LAW
25 ENFORCEMENT ISSUES. ON OR BEFORE JULY 1 OF EACH YEAR, THE MEMBER SHALL
26 SUBMIT A BIOGRAPHICAL SKETCH OF THE PROXY'S EXPERIENCE AND QUALIFICATIONS FOR
27 SERVICE ON THE COUNCIL TO THE ARIZONA DEPARTMENT OF HOMELAND SECURITY.

28 ~~E.~~ G. At the first meeting held after July 1 of each year, each
29 regional advisory council shall elect a chairperson and vice-chairperson.

30 ~~F.~~ H. Each regional advisory council shall meet on the call of the
31 chairperson but at least ~~quarterly~~ FOUR TIMES ANNUALLY. No actions may be
32 taken without a quorum present.

33 I. IT IS THE DUTY OF EACH REGIONAL ADVISORY COUNCIL MEMBER TO MAINTAIN
34 COMMUNICATION WITH AND REPRESENT OTHER OFFICES AND ORGANIZATIONS WITHIN THE
35 MEMBERS PROFESSIONAL DISCIPLINE IN THE REGION.

36 ~~G.~~ J. IN COORDINATION WITH THE DEPARTMENT, the regional advisory
37 council shall:

38 1. Develop, implement and maintain regional homeland security
39 strategies.

40 2. Support and assist in implementation of Arizona's comprehensive
41 statewide risk assessment.

42 3. Support and assist an integrated regional approach to homeland
43 security in this state.

44 4. Establish baseline prevention and response capabilities through
45 anchor cities consistent with state and regional plans.

1 5. Collaborate with other regional councils and organizations to
2 ensure successful integration of homeland security programs and initiatives.

3 6. Develop a list of ~~requests~~ RECOMMENDATIONS for state homeland
4 security grant program monies and forward these ~~requests~~ RECOMMENDATIONS to
5 the director. ~~Before forwarding these requests to the director, the regional~~
6 ~~advisory council shall present the requests to the Arizona department of~~
7 ~~homeland security coordinating council.~~

8 7. Recommend allocation of state homeland security grant program
9 monies to eligible jurisdictions and other organizations based on regional,
10 state and federal criteria.

11 ~~H.~~ K. Members are not eligible to receive compensation but are
12 eligible for reimbursement of expenses pursuant to title 38, chapter 4,
13 article 2.

14 Sec. 5. Terms of existing Arizona department of homeland
15 security regional advisory councils

16 A. Notwithstanding section 41-4258, Arizona Revised Statutes, as
17 amended by this act, beginning July 1, 2009 members of the homeland security
18 regional advisory councils shall serve staggered three-year terms with the
19 terms of five members expiring July 1, 2010, five terms expiring July 1, 2011
20 and four terms expiring July 1, 2012. Members are eligible for
21 reappointment.

22 B. Elected officials shall serve on the council in their capacity as
23 elected officials. If an elected official is no longer in office that
24 position on the regional advisory council shall be considered vacant and a
25 new appointment shall be made.

APPROVED BY THE GOVERNOR JULY 9, 2009.

FILED IN THE OFFICE OF THE SECRETARY OF STATE JULY 9, 2009.